

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(Northern Division)

**KEMAL MALAKI HAMEED**

910 Busters Lane  
Owings, MD 20736

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Plaintiff,

\* CASE NO:

v.

\*

**VERANO HOLDINGS, LLC.**

(A Foreign LLC Registered in MD)  
415 N. Dearborn Street – Suite 400  
Chicago, IL 60654

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Resident Agent:

Darren Weiss  
7221 Montevideo Rd-Suite 100  
Jessup, MD 20794

COMPLAINT FOR DAMAGES

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**VZL STAFFING, LLC.**

(A Maryland Domestic LLC)  
7221 Montevideo Road  
Jessup, MD 20794

\*

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Resident Agent:

Darren Weiss  
7221 Montevideo Rd-Suite 100  
Jessup, MD 20794

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Defendants.

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**COMPLAINT FOR DAMAGES**

Now Comes, Kemal Malaki Hameed ("Plaintiff"), by and through his attorneys, Mark W. Howes, Esquire, and the Law Offices of Mark W. Howes, LLC, and files this, Plaintiff's Complaint

for Damages, against Verano Holdings, LLC (“Defendant Verano”) and VZL Staffing, LLC (“Defendant VZL”), collectively “Defendant Corporations”, and asserts the following:

#### **A. PRELIMINARY STATEMENT**

1. Plaintiff is seeking damages for racial discrimination and retaliation suffered during his employment as a result of Defendant Corporations’ violation of Title VII of the Civil Rights Act of 1964. Plaintiff herein asserts that he suffered racial discrimination and retaliation at the hands of Defendant Corporations.

#### **B. JURISDICTION AND PARTIES**

2. Plaintiff invokes this Court’s Federal question jurisdiction under 28 U.S.C. § 1331 in order to resolve charges of race discrimination and retaliation under Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991, 42 U.S.C. § 2000e, *et seq.*

3. Plaintiff has exhausted his administrative remedies, and is filing this Complaint within 90 days of the receipt of his “Notice of Right to Sue” from the Equal Employment Opportunity Commission.

4. The racial discrimination and retaliation complained of in this Complaint occurred at Defendant Verano’s local address, at 2290 Old Washington Road, Waldorf, Maryland 20601, and therefore this Court is the proper venue for this claim under 42 U.S.C. § 2000e-5(f)(3).

5. Plaintiff is an adult African American male, a citizen of the United States, and presently resides in Owings, Maryland. Plaintiff Hameed is a former employee of Defendant Corporations.

6. Defendant Verano is a foreign corporate entity, incorporated under the laws of the State of Delaware, registered under the laws of Maryland, and conducts business in multiple states.

Defendant Verano is headquartered in Chicago, Illinois, and has employed more than 15 employees for more than 20 weeks during all relevant calendar years.

7. Defendant VZL is a domestic (Maryland) corporation organized pursuant to the laws of Maryland, and has employed more than 15 employees for more than 20 weeks during all relevant calendar years.

8. On information and belief, Defendant VZL is a wholly owned subsidiary of Defendant Verano.

### **C. STATEMENT OF FACTS**

9. On or about October 9<sup>th</sup>, 2018, plaintiff was hired by Defendant VZL to serve as a delivery driver/patient care advisor.

10. Plaintiff was to work approximately forty (40) hours per week and was to be paid on an hourly basis at a rate of \$13.50 per hour.

11. Plaintiff's first day of such employment was October 26<sup>th</sup>, 2018.

12. In his capacity as a delivery driver/patient care advisor, Plaintiff's principal responsibility was to deliver medical marijuana to customers of Defendant VZL.

13. On or about October 29<sup>th</sup>, 2018, Plaintiff was assigned to deliver some medical marijuana to a United States military installation located in Annapolis, Maryland.

14. Plaintiff, who is himself a disabled military veteran, knew such conduct to be illegal and he protested such delivery.

15. Notwithstanding his protests, Plaintiff was ordered to complete the delivery by his superiors.

16. On or about December 12<sup>th</sup>, 2018, Plaintiff was directed to drive with one of his

supervisors, Laura Nutting, to the Patuxent Naval Air Station Military Base to make yet another delivery of medical marijuana.

17. Again, Plaintiff protested such action as being contrary to federal law.

18. Nevertheless, Ms. Nutting, ordered Plaintiff to make the delivery.

19. Plaintiff was the only African American employee to challenge the Defendant VZL's policy of illegal delivery of medical marijuana to federal military bases in Maryland.

20. As a result, Plaintiff became increasingly aware of the hostility and distrust his supervisors had for him and of the disparate treatment that was visited upon him over the course of his employment.

21. Such treatment included, but was not limited to, harassment, intimidation, having a supervisor go with him when he made his deliveries, and scrutinizing his work more closely than other Caucasian and non-African American drivers.

22. Defendant VZL did not treat other Caucasian and non-African American drivers in the same manner.

23. Defendant VZL ignored Plaintiff's complaints of racial discrimination occurring against himself.

24. Moreover, Defendant VZL ignored Plaintiff's reported observations of Defendant VZL's gender-based discrimination against one of his superiors, Alexa Weinrich.

25. Ms. Weinrich subsequently quit without notice to avoid the gender-based discrimination to which she was being subjected.

26. On or about December 23<sup>rd</sup>, 2018, Plaintiff reported to the Chief Retail Officer, Anthony Marsico, that Plaintiff was being subjected to harassment and retaliation on the basis of his

race at the hands of his superiors, Jose Merina and Krissy Bernazani.

27. Both Mr. Merina and Ms. Bernazani are non-African American.
28. Under Defendant VZL's company policy, an investigation was required into Plaintiff's claims of discriminatory conduct.
29. Mr. Marisco promised Plaintiff that such an investigation would be conducted.
30. To the best of Plaintiff's information and belief, no investigation – as promised by Mr. Marsico and required under company policy – was ever conducted into Plaintiff's claims of discriminatory conduct.
31. Moreover, after registering his complaints of race-based discrimination against himself and gender-based discrimination against Ms. Weinrich by both e-mail and telephone with Mr. Marsico, Plaintiff was told to wait for further instructions from Mr. Marsico.
32. Plaintiff adhered to such advice at the direction of Mr. Marsico.
33. On or about January 2<sup>nd</sup>, 2019, Plaintiff was terminated from his position with Defendant VZL.
34. Defendant VZL's stated reason for Plaintiff's termination was that he failed to show up for work on December 27<sup>th</sup>, 2018.
35. Plaintiff was never scheduled to work on December 27<sup>th</sup>, 2018 according to company records.
36. On information and belief, Plaintiff's discrimination complaint against Mr. Merina and Ms. Bernazani were never investigated in any manner whatsoever by Defendant Corporations.

## **D. CAUSES OF ACTION**

### ***Count I: Race Based Discrimination***

37. Plaintiff incorporates each of the preceding paragraphs 1 through 36 as if each were restated and reasserted herein, and further claims that the race-based discrimination on the part of Defendant Corporations was a violation of the protections to which Plaintiff is entitled under Title VII.
38. Plaintiff is a member of a protected class (African American).
39. Plaintiff was and remains qualified for the position as a delivery driver/patient care advisor.
40. Plaintiff was rejected for the position by virtue of his termination.
41. After Plaintiff's discharge, Defendant Corporations sought a replacement with qualifications similar to those of Plaintiff.
42. The complained of harassment and discrimination in this case stemmed from Plaintiff's supervisors, Mr. Merina, Ms. Bernazoni and Mr. Marsico, who all knew of, participated in, and failed to take corrective action to alleviate such discrimination to the detriment of the Plaintiff.
43. The actions of Plaintiff's supervisors and of Defendant VZL are imputable to Defendant Corporations, jointly and severally.

### ***Count II: Retaliation***

44. Plaintiff incorporates each of the preceding paragraphs 1 through 43 as if each were restated and reasserted herein, and further claims that increasingly aggressive racial discrimination, as well as Plaintiff's disparate treatment and eventual termination, were taken in retaliation for his

opposition to Defendant Corporations' discriminatory practices.

45. Title VII prohibits retaliatory conduct, manifesting either in the form of adverse tangible employment action or retaliatory harassment, where the conduct is the employer's reaction to an employee engaging in a protected activity. *See Perry v. Kappos*, 489 Fed. Appx. 637, 643 (4th Cir. Va. 2012); *see also, Clarke v. DynCorp Int'l LLC*, 2013 U.S. Dist. LEXIS 117546, \*23 (D. Md. Aug. 20, 2013) (alluding to the fact that a plaintiff must "establish[] an adverse employment action that would 'dissuade a reasonable worker' from pursuing a charge of discrimination or an abusive atmosphere that is 'sufficiently severe or pervasive' to render a work environment hostile" in order to establish a claim for retaliation).

46. By expressly opposing the illegal race and gender-based discrimination of his employer, Plaintiff was conducting himself in a manner in which he should have received Title VII protections which Defendant Corporations did not provide.

#### **E. PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff, Kemal M. Hameed, respectfully asks this Court to award Plaintiff:

- (1) The wages, salary, employment benefits, and other compensation denied or lost to Plaintiff to date by reason of Defendant Corporations' violations of Title VII, in amounts to be proven at trial;
- (2) Compensatory and punitive damages in an amount to be proven at trial;
- (3) Costs of this action, including reasonable attorney fees as provided for under 42 U.S.C. § 2000e-(5)(k);
- (4) Interest at the legal rate on such damages as appropriate, including pre- and post-judgment interest; and Such other and further relief as may be appropriate under the

circumstances of this case.

(5) Such other and further relief as may be appropriate under the circumstances of this case.

Respectfully submitted,



Mark W. Howes, Esquire

*Attorney for the Plaintiff*

1906 Towne Centre Blvd. Ste. 275

Annapolis, Maryland 21401

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Federal Bar: #09489

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KEMAL MALAKI HAMEED

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Plaintiff,

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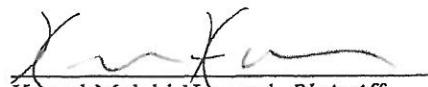
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PLAINTIFF VERIFICATION OF COMPLAINT

I HEREBY SOLEMNLY DECLARE AND AFFIRM that the information contained in the foregoing Complaint for Damages is true and correct to the best of my knowledge, information and belief.

  
Kemal Malaki Hameed, Plaintiff

Law Offices of  
Mark W. Howes, LLC  
1906 Towne Centre Blvd.  
Suite 275  
Annapolis, MD 21401  
Phone: (410) 266-1041  
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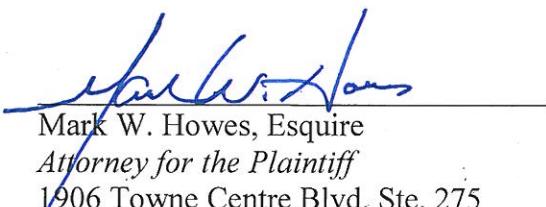
Defendants.

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**JURY TRIAL DEMAND**

The Plaintiff, Kemal M. Hameed, hereby requests a jury trial as to all issues in this case.



Mark W. Howes, Esquire  
*Attorney for the Plaintiff*  
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